

The U.S. House Budget committee Chaired by Fifth District Congressman John Spratt held a hearing Tuesday on the budgetary implications of terminating previous plans for the Yucca Mountain nuclear storage facility that was approved by Congress in 1982.

The federal government is more than 10 years behind schedule in its contractual obligations to remove and dispose of such waste, and the government has so far paid nuclear utilities \$760 million in compensation because of its failure to meet that schedule. Department of Energy(DOE) currently estimates that liabilities to electric utilities for such damages will still total more than \$13 billion if the department begins to accept nuclear waste by 2020.

Testifying before the committee, Deputy Assistant Attorney General Michael Hertz said several more breach of contract cases are still under review by the courts, and one of them originates from Aiken County, South Carolina. Hertz says the monies paid out must not come from the fees the government is collecting from utilities to permanently store the waste, but from a separate judgement fund, according to a 2002 ruling by the 11th Circuit Court of Appeals. The judgment fund, held by the U.S. Treasury, is available for court judgments and Justice Department compromise settlements of actual or imminent lawsuits against the government.

Spratt and other members of the committee expressed their frustration at the termination of the Yucca Mountain project. So far an estimated \$100 billion dollars has been spent on the project.

DOE Under Secretary Kristina Johnson told the committee that technology has greatly improved in the past 20 years and that improved technology has led the DOE to take the Yucca Mountain Project off the table. She said nuclear waste computer modeling has come a long way since 1982's Nuclear Waste Police Act, and that it's time to take a step back and look at other solutions.

Johnson says a blue ribbon panel made up of members from a broad range of fields are studying alternative options for nuclear waste. They are scheduled to make their initial recommendations in a year.

Johnson says recent scientific studies now indicate that deep underground storage of spent nuclear material may not be the best long term solution for handling the waste.

We have improved our understanding of the forms of high-level waste that we will get, and we have improved our understanding of recycling technology. We operate right now the only deep geologic storage facility in the world at the Waste Isolation Pilot Plant in New Mexico that has received 5,000 shipments since it began operation in 1999.

Johnson said the material could be stored for up to 100 years, to give researchers more time to find a solution. Minnesota Congresswoman Betty McCollum, in an exchange with Under Secretary Johnson, expressed frustration in what she perceived as the lack of a clear answer on why the DOE wants to discontinue the Yucca Mountain project, as well as on how long utility companies will have to temporarily store nuclear waste.

"Is that your idea of temporary storage? We were told this would be temporary storage. Is 100 to 300 years your idea of temporary storage?" asked McCollum. Johnson responded.

I believe that the long-term solution was originally going to be at 10,000 to one million years, so in terms relative to long-term storage, I believe that 100 years is within a short-term storage. I'm not suggesting that we actually store it for a hundred years. What I'm saying is that we are doing active research.

The hearings were conducted in Washington, DC.